

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, JANUARY 8, 2001**

The Lincoln County Board of County Commissioners and the Planning Board met in a joint session on January 8, 2001 at the Citizens Center, Commissioner's Room, Third Floor, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 6:30 PM.

Chairman Cochrane stated that the Board would hold the public hearing meeting first thing, instead of the East Lincoln Water and Sewer meeting, due to the fact that the times were published wrong and the public hearings were advertised at 5:30 PM.

Commissioners Present:

Jerry W. Cochrane, Chairman  
Beth H. Saine, Vice Chair  
Thomas R. Anderson, PE  
Larry S. Craig  
Dr. John R. Gamble, Jr.

Planning Board Members Present:

James "Buddy" Funderburk  
Dean Lutz  
Stanley Roseboro  
Jerry Geymont  
Phil Hunt  
Eddie Sigmon  
Mike Baker  
Terry Whitener  
Gerald Johnson

Others Present:

Stan B. Kiser, County Manager  
Jeffrey A. Taylor, County Attorney  
Amy S. Long, Clerk to the Board  
Lee Lawson, Land Use Coordinator  
Kelly Atkins, Director of BALD  
Shane Stewart, Zoning Administrator  
Leon Harmon, Finance Director

**Call to Order:** Chairman Cochrane called the January 8, 2001 meeting of the Lincoln County Board of Commissioners to order.

**Adoption of Agenda:** Chairman Cochrane presented the agenda for the Board's approval.

**UPON MOTION** by Commissioner Gamble the Board voted unanimously to adopt the agenda as presented.

## **AGENDA**

### **LINCOLN COUNTY BOARD OF COMMISSIONERS**

#### **PUBLIC HEARINGS**

**JANUARY 8, 2001**

- |    |         |  |
|----|---------|--|
|    | 7:00 PM | Call to Order                            |
| 1. | 7:01 PM | Adoption of Agenda                       |
| 2. | 7:02 PM | Approval of Minutes                      |
|    |         | - December 7, 2000                       |
|    |         | - December 18, 2000                      |
| 3. | 7:05 PM | New Business / Advertised Public Hearing |

Parallel Conditional Use Rezoning No. 74 – Lloyd Caldwell, applicant. The applicant is requesting a Parallel Conditional Use Rezoning (PCUR) to rezone two (2) parcels totaling 4.31 acres to Conditional Use Residential Suburban (CU R-S) to accommodate one single-wide mobile home. This parcel is presently zoned Residential Single-Family (R-SF) and is located of Goodson Road in the Ironton Township.

Conditional Use Permit No. 180 – Kerry Kowaleski II, applicant. The applicant is requesting a Conditional Use Permit in order to accommodate a single-wide mobile home on lot #19 of the Greenfield Subdivision. The property is zoned Residential Suburban (R-S) and is located off Cat Square Road in the Howard's Creek Township.

Conditional Use Permit No. 181 – Brian Nuhfer, applicant. The applicant is requesting a Conditional Use Permit in order to accommodate a private residential storage building on a lot .987 acres in size located off Woodbeach Lane in the Catawba Springs Township. The property is zoned Residential Transitional (R-T) and does not contain a principal structure.

Zoning Text Amendment No. 355 – Lincoln County, Applicant. The following text amendment has been proposed: Amend all references in the Lincoln County Zoning Ordinance to

the *Board of Variances and Appeals* replacing it with the *Board of Adjustment*.

Zoning Text Amendment No. 356 – Lincoln County, applicant. Amend all references in the Lincoln County Zoning Ordinance, which gives the power of granting a Conditional Use Permit to the Board of Commissioners, instead, giving that power to the Lincoln County Planning Board.

Zoning Text Amendment No. 357 – Lincoln County, applicant. The following addition is proposed for the addition to the definition list in Section 2.4 of the Lincoln County Zoning Ordinance: *Animal Shelter: A public, nonprofit, or not-for-profit facility where six (6) or more animals which are commonly considered as being household pets (e.g., birds, dogs, cats, rabbits, etc.) are bred, boarded, trained, sold, or distributed to the general public. All species of poultry and livestock (including horses, pigs, cows, chickens, and turkeys) shall not be considered as being “household pets”.*

Zoning Text Amendment No. 358 – Lincoln County, applicant. Amend Section 10.12.2 B in the Lincoln County Zoning Ordinance to list retail as a conditional use in the General Industrial (I-G) district.

4. 7:45 PM NCDOT Application – Erma Deen Hoyle
5. 7:55 PM Department Head Presentation
  - Madge Huffman, Tax Department
6. 8:25 PM Department Head Presentation
  - Maggie Dollar, Health Department
7. 8:55 PM Recommendations from the Planning Board – January 8, 2001
  - Parallel Conditional Use Rezoning No. 74 – Lloyd Caldwell, applicant.
  - Conditional Use Permit No. 180 – Kerry Kowaleski II, applicant.
  - Conditional Use Permit No. 181 – Brian Nuhfer, applicant.
  - Zoning Text Amendment No. 355 – Lincoln County, applicant.
  - Zoning Text Amendment No. 356 – Lincoln County, applicant.
  - Zoning Text Amendment No. 357 – Lincoln County, applicant.
  - Zoning Text Amendment No. 358 – Lincoln County, applicant.
8. 9:30 PM Other Business

## Adjourn

**Approval of Minutes – December 7, 2000 and December 18, 2000:** Chairman Cochrane presented the minutes of the December 7, 2000 and December 18, 2000 meetings for approval.

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to accept the December 7, 2000 minutes as presented.

**UPON MOTION** by Commissioner Craig, the Board voted unanimously to accept the December 18, 2000 minutes as presented.

**New Business: Advertised Public Hearings:** Chairman Cochrane announced that this was the date, Monday, January 8, 2001 and the time, 5:30 PM, which was advertised in the *Lincoln Times-News* on December 29, 2000 and January 5, 2001.

## NOTICE OF PUBLIC HEARING

The Lincoln County Board of Commissioners and Planning Board will hold a joint meeting and public hearing at 5:30 P.M. on Monday, January 8, 2001, to consider the following zoning related matters:

PCUR #74 Lloyd Caldwell, applicant (Parcel ID #28503) *The applicant is requesting a Parallel Conditional Use Rezoning (PCUR) to rezone two (2) parcels totaling 4.31 acres to Conditional Use Residential Suburban (CU R-S) to accommodate one single-wide mobile home. This parcel is presently zoned Residential Single-Family (R-SF) and is located off Goodson Road in the Ironton Township.*

CUP #180 Kerry Kowaleski II, applicant (Parcel ID #72272) The applicant is requesting a Conditional Use Permit in order to accommodate a single-wide mobile home on lot #19 of the Greenfield Subdivision. The property is zoned Residential Suburban (R-S) and is located off Cat Square Road in the Howard's Creek Township.

CUP #181 Brian Nuhfer, applicant (Parcel ID #55810) The applicant is requesting a Conditional Use Permit in order to accommodate a private residential storage building on a lot .987 acres in size located off Woodbeach Lane in the Catawba Springs Township. The property is zoned Residential Transitional (R-T) and does not contain a principal structure.

ZTA #355 Lincoln County, applicant The following text amendment has been proposed: Amend all references in the Lincoln County Zoning Ordinance to the *Board of Variances and Appeals* replacing it with the *Board of Adjustment*.

ZTA #356 Lincoln County, applicant The following text amendment has been proposed: Amend all references in the Lincoln County Zoning Ordinance, which gives the power of granting a Conditional Use Permit to the Board of Commissioners, instead, giving that power to the Lincoln County Planning Board.

ZTA #357 Lincoln County, applicant *The following addition is proposed for addition to the definition list in Section 2.4 of the Lincoln County Zoning Ordinance: Animal Shelter: A public, nonprofit, or not-for-profit facility where six (6) or more animals which are commonly considered as being household pets (e.g., birds, dogs, cats, rabbits, etc.) are bred, boarded, trained, sold, or distributed to the general public. All*

species of poultry and livestock (including horses, pigs, cows, chickens, and turkeys) shall not be considered as being "household pets".

ZTA #358 Lincoln County, applicant Amend Section 10.12.2 B in the Lincoln County Zoning Ordinance to list retail as a conditional use in the General Industrial (I-G) district.

The public is invited to attend this meeting which will be held in the Commissioners' Board Room on the third floor of the Citizens Center, 115 W. Main Street in Lincolnton, NC. For more information, contact the Department of Building and Land Development at (704) 736-8440.

(Please advertise twice: Friday, December 29, 2000 and Friday, January 5, 2001)

**Parallel Conditional Use Rezoning No. 74 – Lloyd Caldwell, applicant:**

Shane Stewart apologized for the technical mistake they had made.

Chairman Cochrane asked the speakers present for this case to limit it to five people and for those to be between three and five minutes.

Having been sworn by the Clerk, Shane Stewart, Zoning Administrator, presented the following information concerning Parallel Conditional Use Rezoning No. 74 – Lloyd Caldwell, applicant.

The applicant is requesting a Parallel Conditional Use Rezoning (PCUR) to rezone two (2) parcels totaling 4.31 acres to Conditional Use Residential Suburban (CU R-S) to accommodate one single-wide mobile home. This parcel is presently zoned Residential Single-Family (R-SF).

The parcel is located off Goodson Road in the Ironton Township. The property is joined on the north, south, and west sides by properties that are zoned R-SF and to the east by R-S. The Lincoln County Land Development Plan calls for medium density residential development in this area. A single-wide mobile home requires the issuance of a Conditional Use Permit in the R-S zoning district.

**Lloyd "Perk" Caldwell** stated that what he's asking for is zoning on the land to the point that his daughter can set her trailer up on the land and not have to move it within the sixty days. He stated that they have permission to set the trailer there, they can put the trailer there with the doctor's permission. Mr. Caldwell stated that if something happens to his wife, within sixty days they will have to move the trailer out. He stated that it is going to cost between \$9,000 and \$12,000 just to get it set up like it is required.

**Todd Goodson** stated that he is the property owner at 3802 Goodson Road, which is adjacent to the proposed property. He stated that he has plans to put a house there. He asked why he would want to put a \$200,000 house there if there's going to be a trailer in his back yard. He stated that this would not benefit anyone but Mr. Caldwell. He stated that if the Board lets this mobile home in, it's easier to let the others in. Mr. Goodson stated that this is probably the only road in Lincoln County that does not have any trailers.

**Carrol Goodson** stated that he grew up on the property adjoining this and as he grew up, they were able to walk around the neighborhood, where they knew all their friends and neighbors. He stated that he's talked to a number of the elderly people that live on that highway now, and they have told him that if a trailer is brought in, they will be afraid to go to bed at night. Mr. Goodson stated that he has talked to a real estate agent and a real estate broker, and the zoning simply says that you can't rezone something that's going to substantially change the value of your property, yet these people he's talked to him tell him that this will definitely substantially decrease the value of the property. He asked the Board to leave their neighborhood like it is. Mr. Goodson stated that they have no objection to bringing in a trailer for a caregiver to take care of the gentleman's wife.

**Kermit Goodson** stated that he lives on Goodson Road, and it's always been a nice place to live. He stated that they have nice homes and he feels like if they put trailers in, it will lower the value of their homes. He stated that if there was a medical need here, no one would ever object.

**Chester Bowman** pointed out a creek on the map. He stated that basically this is a creek that separates 150 from Goodson Road. He stated from the creek back to 150, there are trailers, but from the creek back to Goodson Road, there is no zoning for trailers. He stated that he would like to see it grow up with houses. He stated that if there is a medical need, there are provisions for that.

**Gerald Goodson** stated that his main interest is in retaining the value of their property. He stated that they are not against Mr. Caldwell having a trailer there to have someone to help take care of his wife.

Being no additional speakers, Chairman Cochrane declared the Public Hearing on Parallel Conditional Use Rezoning No. 74 – Lloyd Caldwell, applicant, closed.

**Conditional Use Permit No. 180 – Kerry Kowaleski II, applicant:** Shane Stewart, Zoning Administrator, presented the following information concerning Conditional Use Permit No.180 – Kerry Kowaleski II, applicant.

The applicant is requesting a Conditional Use Permit in order to accommodate a single-wide mobile home on lot #19 of the Greenfield Subdivision. The property is zoned Residential Suburban (R-S).

The 5.39 acre parcel is located off Cat Square Road in the Howard's Creek Township. The property is joined on all sides by properties that are also zoned R-S. The Lincoln County Land Development Plan calls for low residential density development in this area. A single-wide mobile home requires the issuance of a Conditional Use Permit in the R-S zoning district.

Chairman Cochrane opened the Public Hearing on Conditional Use Permit No. 180 – Kerry Kowaleski II, applicant.

Being no one wishing to speak, Chairman Cochrane declared the Public Hearing on Conditional Use Permit No. 180 – Kerry Kowaleski II, applicant, closed.

**Conditional Use Permit No. 181 – Brian Nuhfer, applicant:** Shane Stewart, Zoning Administrator, presented the following information concerning Conditional Use Permit No. 181– Brian Nuhfer, applicant.

The applicant is requesting a Conditional Use Permit in order to accommodate a private residential storage building on a lot .987 acres in size. The property is zoned Residential Transitional (R-T) and does not contain a principal structure.

The parcel is located off Woodbeach Lane in the Catawba Springs Township. The property is joined on all sides by properties that are also zoned R-T. The Lincoln County Land Development Plan calls for lower residential density development in this area. A private residential storage building requires the issuance of a Conditional Use Permit on a lot less than two (2) acres in size in the R-T zoning district.

Chairman Cochrane opened the Public Hearing on Conditional Use Permit No. 181 – Brian Nuhfer, applicant.

Being no one wishing to speak, Chairman Cochrane declared the Public Hearing on Conditional Use Permit No. 181 – Brian Nuhfer, applicant, closed.

**Zoning Text Amendment No. 355:** Shane Stewart, Zoning Administrator, presented the following information concerning Zoning Text Amendment No. 355.

Amend all references in the Lincoln County Zoning Ordinance to the *Board of Variances and Appeals* replacing it with *Board of Adjustment*..

Chairman Cochrane opened the Public Hearing on Zoning Text Amendment No. 355.

Being no one wishing to speak, Chairman Cochrane declared the Public Hearing on Zoning Text Amendment No. 355 closed.

**Zoning Text Amendment No. 356:** Shane Stewart, Zoning Administrator, presented the following information concerning Zoning Text Amendment No. 356.

Amend all references in the Lincoln County Zoning Ordinance, which gives the power of granting a Conditional Use Permit to the Board of Commissioners instead, giving that power to the Planning Board.

Commissioner Craig asked about the appeal process. He asked counsel to obtain some information to bring to the Board, as to whether the appeals process could first come to the Board of Commissioners before going to the court system.

Chairman Cochrane opened the Public Hearing on Zoning Text Amendment No. 356.

Being no one wishing to speak, Chairman Cochrane declared the Public Hearing on Zoning Text Amendment No 356 closed.

**Zoning Text Amendment No. 357:** Shane Stewart, Zoning Administrator, presented the following information concerning Zoning Text Amendment No. 357.

The following addition is proposed for the definition list in Section 2.4 of the Lincoln County Zoning Ordinance.

**Animal Shelter**

*A public, nonprofit, or not-for-profit facility where six (6) or more animals which are commonly considered as being household pets (e.g., birds, dogs, cats, rabbits, etc.) are bred, boarded, trained, sold, or distributed to the general public. All species of poultry and livestock (including horses, pigs, cows, chickens, and turkeys) shall not be considered as being “household pets”.*

There was a discussion concerning the shelter in Alexis. Jeff Taylor advised the Board that they would have the vested right to continue the existing situation, but this would preclude another situation like that from occurring. The letter from Anthony Hager was discussed.

Chairman Cochrane opened the Public Hearing on Zoning Text Amendment No. 357

Being no one wishing to speak, Chairman Cochrane declared the Public Hearing on Zoning Text Amendment No. 357 closed.

**Zoning Text Amendment No. 358:** Shane Stewart, Zoning Administrator, presented the following information concerning Zoning Text Amendment No. 358.

Amend Section 10.12.2 B in the Lincoln County Zoning Ordinance to list retail as a conditional use in the General Industrial (I-G) district.

Chairman Cochrane opened the Public Hearing on Zoning Text Amendment No. 358.

Being no one wishing to speak, Chairman Cochrane declared the Public Hearing on Zoning Text Amendment No. 358.

Chairman Cochrane announced that at this time, the Planning Board would retreat to the 2<sup>nd</sup> floor balcony.

**NCDOT Application – Erma Deen Hoyle:** Erma Deen Hoyle presented following Resolution to the Board. The Resolution is an application to apply for a grant for a Transportation Coordinator. Lincoln County’s Human Services Agencies have been



recipients in the past of capital funds from DOT, to use for the purchase of vans. There are currently 19 vehicles under this program, operated by Senior Services, Social Services, the Health Department, A Place to Grow, Salem Industries and the 4H Office. In 1998, the county adopted the Transportation Development Plan, and as part of that it was recommended that the county move to a more coordinated system. It was recommended in this document that we hire a transportation coordinator. The amount of money available is \$23,640, and Lincoln County has to provide a 15% match, which would be \$4,179.

## **RESOLUTION**

Application Seeking Permission to Apply for Human Service Transportation Funding,  
Enter Into Agreement With The North Carolina Department Of Transportation  
And to Provide The Necessary Assurances.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural public transportation services;

WHEREAS, (Applicant's Name)  
hereby assures and certifies that it will comply with the federal and state Statutes, regulations, executive orders, and all administrative requirements related to the applications made to and grants received from the North Carolina Department of Transportation;

NOW, THEREFORE, be it resolved that the (Authorized Official's Title)\*

Of (Name of Applicant's Governing Body)  
Is hereby authorized to submit and grant application for state funding, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural public transportation services.

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Signature of Certifying Official  
Name of Local Governing Body

Commissioner Gamble asked about the congregate meals program.

**UPON MOTION** by Commissioner Gamble, the Board voted unanimously to adopt the Resolution as presented for Human Service Transportation.

**Department Head Presentation – Madge Huffman:** Madge Huffman, Tax Administrator, gave a presentation on the Tax Department. In her presentation, she reviewed the duties, number of staff, goals, and needs of Tax Collection, Business Personal Property Section, Real/Personal Property Listing Section, Registered Vehicle Listing Section, Real Estate Appraisal Section, GIS/Mapping Section, and the Addressing Section.

Chairman Cochrane called for a brief recess.  
Chairman Cochrane called the meeting back to order.

**Department Head Presentation – Maggie Dollar:** Maggie Dollar gave a presentation on the Health Department. In her presentation, she gave an overview of how they are set up, the services they provide, patient load, and some of the goals and vision for the coming years.

**Recommendations from the Planning Board – January 8, 2001:**

**Parallel Conditional Use Rezoning No. 74 – Lloyd Caldwell, applicant:** Shane Stewart, Zoning Administrator, stated that the Planning Board unanimously recommended approval with the following conditions – 1) only one mobile home allowed, 2) when the mobile home is removed, it will revert back to the general zoning district, and 3) the mobile could not be used for purposes of rent for gain.

**A MOTION** by Commissioner Gamble to accept the recommendation of the Planning Board.

Chairman Cochrane stated that the Board will still have to go through the procedure to rezone. He asked if Commissioner Gamble would change his motion to approve rezoning the property from R-SF to R-S. He stated that he felt the motion by Commissioner Gamble was out of order.

**A MOTION** by Commissioner Craig to rezone the property from R-SF to R-S.

**Vote: 1 – 4    AYES: Craig**  
**NOES: Anderson, Saine, Cochrane, Gamble**

**Conditional Use Permit No. 180 – Kerry Kowaleski II, applicant:** Shane Stewart, Zoning Administrator, stated that the Planning Board unanimously voted to recommend approval.

Chairman Cochran presented the findings of fact for Conditional Use Permit No. 180 - Kerry Kowaleski II, applicant.

RECOMMENDATION ON FINDINGS OF FACT  
FOR A CONDITIONAL USE PERMIT

LINCOLN COUNTY, NORTH CAROLINA

Application Number: CUP#180                      Date: January 8, 2001

Applicant's Name: Kerry K. Kowaleski  
Address: 4753 Lama Lane  
Lincolnton, NC 28092

Property Owner's Name: Jason S. Gilbert  
Address: 641 Cat Square Road  
Vale, NC 281688213

Property Location: Cat Square Road

Existing Zoning: R-S

Proposed Conditional Use: Placement of a single-wide mobile home

FINDINGS OF FACT

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. Yes X No\_\_\_\_  
Factual Reason Cited: The use will not materially endanger the public health or safety if located where proposed and developed according to plan.  
Motioned by Commissioner Saine. Vote: Unanimously approved.
2. The use meets all required conditions and specifications. Yes X No\_\_\_\_  
Factual Reason Cited: The use meets all required conditions and specifications.  
Motioned by Commissioner Saine. Vote: Unanimously approved.
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. Yes X No\_\_\_\_  
Factual Reasons Cited: The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity, due to the fact that no one contested.  
Motioned by Commissioner Craig. Vote: Unanimously approved.
4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and

will be in general conformity with the Land Use Plan for the area in question.

Yes   X   No \_\_\_\_\_

Factual Reasons Cited: The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question, based on the recommendation of the Planning Board and the fact that no one contested.

Motioned by Commissioner Saine. Vote: Unanimously approved.

After having held a public hearing on January 8, 2001, and in light of the finding of facts listed herein, the following action was taken by the Lincoln County Board of Commissioners:

**A MOTION** by Commissioner Craig to approve Conditional Use Permit No. 180 – Kerry Kowaleski II, applicant, with no conditions.

**Vote: Unanimously approved.**

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date

Lincoln County Board of Commissioners

**Conditional Use Permit No. 181 – Brian Nuhfer, applicant:**

Shane Stewart, Zoning Administrator, stated that the Planning Board unanimously recommended approval with the condition that the private residential storage building must meet all zoning requirements.

Chairman Cochrane presented the findings of fact for Conditional Use Permit No. 181 - Brian Nuhfer, applicant.

RECOMMENDATION ON FINDINGS OF FACT  
FOR A CONDITIONAL USE PERMIT

LINCOLN COUNTY, NORTH CAROLINA

Application Number: CUP# 181     Date: January 8, 2001

Applicant's Name: Brian Nuhfer  
Address: 4122 Woodbeach Lane  
Denver, NC 28037

Property Owner's Name: Same as above  
Address:

Property Location: #2 Lot Brian J. Nuhfer Sub, Woodbeach Lane

Existing Zoning: R-T

Proposed Conditional Use: Private residential storage building

#### FINDINGS OF FACT

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan. Yes X No\_\_\_\_  
Factual Reason Cited: The use will not materially endanger the public health or safety if located where proposed and developed according to plan.  
Motioned by Commissioner Gamble. Vote: Unanimously approved.
2. The use meets all required conditions and specifications. Yes X No\_\_\_\_  
Factual Reason Cited: The use meets all required conditions and specifications.  
Motioned by Commissioner Gamble. Vote: Unanimously approved.
4. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. Yes X No\_\_\_\_  
Factual Reasons Cited: The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity, citing the reason that there was no objection to this by any of the adjacent landowners.  
Motioned by Commissioner Craig. Vote: Unanimously approved.
4. The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question.  
Yes X No\_\_\_\_  
Factual Reasons Cited: The location and character of use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Land Use Plan for the area in question, based on the fact that there has been no objection to the finding.  
Motioned by Commissioner Anderson. Vote: Unanimously approved.

After having held a public hearing on January 8, 2001, and in light of the finding of facts listed herein, the following action was taken by the Lincoln County Board of Commissioners:

**A MOTION** by Commissioner Craig to approve Conditional Use Permit No. 181 – Brian Nuhfer, applicant, with the condition that the private residential storage building must meet all zoning requirements, based on the recommendation of the Planning Board and the Findings of Fact.

**Vote: Unanimously approved.**

**Zoning Text Amendment No. 355 – Lincoln County, applicant:**

Shane Stewart, Zoning Administrator, stated that the Planning Board's recommendation was unanimous approval.

**A MOTION** by Commissioner Craig to approve Zoning Map Amendment No. 355, based on the Planning Board's recommendation.

**Vote: Unanimously approved.**

**Zoning Text Amendment No. 356 – Lincoln County, applicant:** Shane Stewart, Zoning Administrator, stated that the Planning Board's recommendation was to defer this until the next meeting.

**A MOTION** by Commissioner Craig to defer Zoning Text Amendment No. 356 for further study.

**Vote: 4 – 1   AYES: Cochrane, Craig, Anderson, Saine  
                  NOES: Gamble**

**Zoning Text Amendment No. 357 – Lincoln County, applicant:** Shane Stewart, Zoning Administrator, stated that the Planning Board's recommendation was unanimous approval.

**A MOTION** by Commissioner Gamble to accept the recommendation of the Planning Board and approve Zoning Map Amendment No. 357.

**Vote: Unanimously approved.**

**Zoning Text Amendment No. 358 – Lincoln County, applicant:** Shane Stewart, Zoning Administrator, stated that the Planning Board had no recommendation on this.

Kelly Atkins, Director of Building and Land Development, stated that the Planning Board actually had discussion on this to have staff bring this back, readvertise it, to allow as use by right the retail in the industrial.

**A MOTION** by Commissioner Saine to defer Zoning Text Amendment No. 358 until a recommendation is received from the Planning Board.

Chairman Cochrane called for a recess to hold the East Lincoln County Water and Sewer District meeting.

Chairman Cochrane called the meeting back to order.

**Other Business:**

Stan Kiser, County Manager, stated that Dr. Cadmus could not be at the meeting tonight due to a death in the family, but he did speak to the Architect about providing a sketch of the East Lincoln Library. He stated that the Architect will provide, for a fee of \$2000, the sketch.

Commissioner Anderson stated that this Architect is not yet under contract, and is out in limbo, being asked to do things without actually having a contract to do them. He stated that he feels the Board should get him under contract.

Commissioner Craig stated that he feels the Board needs to come to a conclusion about whether to go forward with this project. He stated that the question he keeps asking himself is if the Board can financially afford to go forward with this thing knowing the debt they are already facing.

**A MOTION** by Commissioner Craig to put the Library on hold until the Board can better see a light at the end of the tunnel to finance and build it properly.

Commissioner Anderson asked that the Board allow him to meet with the Library Committee, to which he has been appointed, before there is a vote on the motion. He stated that he would like to meet with them and then come back before the Board.

Commissioner Craig withdrew his motion to allow Commissioner Anderson this opportunity.

Commissioner Craig presented a letter from Rowan County about the 1-cent sales tax.

**A MOTION** by Commissioner Craig to mail a letter of support to our representatives in Raleigh, concerning the 1-cent sales tax for schools and other capital needs.

Commissioner Gamble stated that you can't deduct sales tax from your federal tax return, and you can county taxes. He stated that if the Board is gutsy enough to do this, they ought to do it so the people can get tax credit for it.

**Vote: 4 – 1   AYES: Craig, Cochrane, Anderson, Saine  
              NOES: Gamble**

**Adjourn:** UPON MOTION by Commissioner Craig, the Board voted unanimously to adjourn.

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Amy S. Long, Clerk  
Board of Commissioners

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Jerry W. Cochrane, Chairman  
Board of Commissioners